

Date: 20 March 2023
Your Ref: EN010116
Our Ref: 15984



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Dear Ms Norris,

NORTH LINCOLNSHIRE GREEN ENERGY PARK PROJECT

THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

We write on behalf of the North Lincolnshire Green Energy Park Limited ('the Applicant') in response to the 'Rule 8' letter dated 23 November 2022 [PD-006] in which the Examining Authority has requested a number of documents to be submitted by Deadline 6.

Documents requested to be submitted at Deadline 6

The Applicant requests that the Examining Authority accepts the following documents submitted in advance of Deadline 6:

- Document 1.2 - Application Guide [Revision 7] (clean and tracked);
- Document 9.3 – Compulsory Acquisition Schedule [Revision 5] (clean and tracked);
- Document 9.10 – Revised Status of Negotiations with Statutory Undertakers [Revision 4];
- Document 9.24 – Applicant's Response to the Examining Authorities Second Written Questions [Revision 0]
- Document 9.25 – Applicant's responses to Deadline 5 submissions [Revision 0];
- Document 9.26 – Written summaries of oral submissions put at Issue Specific Hearing 4 (7th March);
- Document 9.27 – Written summaries of oral submissions put at Compulsory Acquisition Hearing (8th March).

Updated Guide to Application

All new and revised documents are referenced in the enclosed updated Application Guide (Document 1.2 – Application Guide [Revision 7]). A clean and tracked version has been provided for clarity. As requested by the Examining Authority, an additional column with the examination reference has been

Partners

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added to the document. Where a document is new and does not yet have an examination reference TBC has been used.

Following Issue Specific Hearing 4, a review of the Application Guide was carried out to ensure that all Revision Numbers and submission dates were correct following comments from the Inspectors. After review, it is believed that most of the confusion likely stems from the resubmission of Document 5.7 Outline Landscape and Biodiversity Management and Monitoring Plan, and Document 6.3.6 – Navigational Risk Assessment, at Deadline 2, in response to ExA WQ 1.0.4 that noted errors in the document. As set out in the Cover letter for that submission, it was confirmed that the versions provided at submission were complete, but the file appeared to have corrupted prior to be uploaded on the PINs website. As such, these documents were re-provided at Deadline 2 but, as no changes to the documents had been made, the Revision number and date of submission were not changed within the Application Guide. These were however given new Examination Library references.

Additional Documents Submitted

In addition to the documents requested by the Examining Authority to be submitted at Deadline 6, the following updated documents are also being submitted:

- Document 2.1 – draft DCO [Revision 5] (clean and tracked);
- Document 4.15 – Indicative Railway drawings [Revision 1] (clean and tracked);
- Document 4.18 – Vertical Parameter Plans [Revision 1];
- Document 5.3 – Design and Access Statement [Revision 2];
- Document 5.12 – Design Principles and Codes [Revision 3];
- Document 5.7 – Outline Landscape and Biodiversity Management and Monitoring Plan [Revision 1] (clean and tracked);
- Document 5.8 – Consents and Licenses Document [Revision 1] (clean and tracked);
- Document 5.9 – Report to inform Habitat Regulations Assessment [Revision 2];
- Document 6.2.3 – Chapter 3: Project Description and Alternatives [Revision 2] (clean and tracked);
- Document 6.2.9 – Chapter 9: Water Resources and Flood Risk [Revision 1] (clean and tracked);
- Document 6.2.14 – Chapter 14: Economic, Community and Land Use Impacts [Revision 1] (clean and tracked);
- Document 6.3.7 – Annex 7: Code of Construction Practice [Revision 4] (clean and tracked);
- Document 8.2.5 – Draft SoCG with North Lincolnshire Council [Revision 2];
- Document 9.12 - Draft Development Consent Order: Schedule of drafting changes [Revision 3].

Updates to documents following ISH4 and the ExAs WQ2

Following discussions at ISH4, Document 5.3 Design and Access Statement has been amended and resubmitted at this deadline to correct references of Fig 5.13 through to Fig 5.25. Additionally, changes were made to the document to provide clarity around the proposed Visual Barrier. Amends were also made to Document 5.12 Design Principles and Codes, to provide clarity and detail around the proposed Visual Barrier. Document 4.18 – Vertical Parameters Plans has also been updated as a result of this to show the visual barrier against the ERF.

Document 4.15 - Indicative Railway Drawings have been amended and submitted at this deadline to show the lateral parameters of the two footbridges. The full consideration of these amendments can be found within Document 9.26 – Written summaries of oral submissions put at Issue Specific Hearing 4 (7th March).

An updated version of Document 5.8 – Consents and Licenses Document has been submitted at this deadline as requested by the ExA.

Agricultural Land Assessment

In response to interested parties' representation and written questions from the ExA an Agricultural Land Assessment has been undertaken to support the application. This has been submitted at this deadline as an appendix to ES Chapter 14: Economic, Community and Land Use Impacts, which has also had consequential changes made to it. As a result of this update, the Applicant has also made minor amends to Document 6.3.7 – Annex 7: Code of Construction Practice (updates to the Soil Management Plan appendix).

Updates to the Report to Inform Habitat Regulations Assessment

The revised report to inform the HRA has been produced to take account of further written representations and engagement with Natural England and other stakeholders as part of the Examination process. In particular, the revised report draws on the findings of revised air dispersion modelling based on a Reasonable Operating Case (ROC), rather than the previous modelling that was based on multiple worst-case scenarios. It takes account of the new access road location being over 200 m from the Humber Estuary designations on the River Trent and adds further information about noise and vibration and the associated effects on lamprey and birds, along with the effects of mitigation that will be implemented.

There are still some outstanding updates needed to the matrices within the Report to Inform Habitats Regulations Assessment. The Applicant seeks to provide a further updated document by Wednesday 22nd March with these changes addressed.

Updates following Rule 17 request responses

The Applicant has also made some minor amends to ES Chapters 3: Project Description and Alternatives, and Chapter 9: Water Resources and Flood Risk following receipt of North Lincolnshire Council and the Environment Agency responses to the Rule 17 request the Applicant. These seek to further clarify the intention in respect of disposal of domestic and trade effluents for each of the facilities. Clean and tracked versions of both chapters have been provided to clearly show where amends have been made.

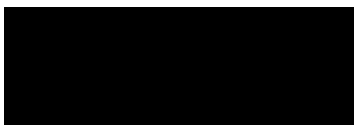
Updates to the dDCO

Following Issue Specific Hearing 4 and the ExAs second written questions, further amendments have been made to the dDCO. More detail to these changes is set out in Document 9.12 - Draft DCO: Schedule of drafting changes.

Updated SoCG with NLC

An updated SoCG with NLC has been submitted at this Deadline to show agreement on a number of matters raised at ISH4 and within the second written questions. These matters of agreement largely relate to landscape and visual points, as well as agreement on relevant articles and requirements within the dDCO.

Yours faithfully,



DWD

For and on behalf of North Lincolnshire Green Energy Park Limited